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Our File No.  
38110-100

November 4, 2021

**By ECF**

Honorable Katharine H. Parker  
United States Magistrate Judge  
Southern District of New York  
United States Courthouse  
500 Pearl St.  
New York, NY 10007

**Re: *Kleeberg, et al. v. Eber, et al.***  
**Docket No. 16-cv-9517 (LAK)**

Dear Judge Parker:

We represent Defendants in the above-captioned action. This letter is respectfully submitted in accordance with your Honor's Individual Rules at ¶ V.f, to request that John Herbert, Esq., co-counsel for Defendants, be permitted to attend the November 9 Settlement Conference by audio or video. Mr. Herbert unfortunately suffered a broken shoulder recently, and he is unable for medical reasons to travel from California to New York for the conference.

We thank the Court for its consideration of this request.

Respectfully submitted,

*s/ Kevin P. Mulry*

Kevin P. Mulry

cc: All counsel (By ECF)